



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

Ref: 8EPR-SA

Mark Walker
Remedial Programs, CDPHE
4300 Cherry Creek Cr. South
Denver, CO 80222RE: Completion of Voluntary Cleanup for part of CERCLIS site COD9870952519, Rico-
Argentine, in Rico, Colorado

Dear Mr. Walker:

Earlier this year, you notified EPA that the voluntary cleanups at the above site had been complete. You requested EPA consider whether the Rico-Argentine Site could be removed from CERCLIS. This letter documents EPA's position on the archival of this site from CERCLIS.

EPA's June 1996 letter to you indicated that, pursuant to the Memorandum of Agreement (MOA) between EPA and CDPHE regarding voluntary cleanups, we would consider suspension of Superfund activities and removal of the site from CERCLIS after all the voluntary cleanups were complete. EPA hoped the entire site would be addressed under the voluntary cleanup program. However, as discussed between managers of EPA and CDPHE Superfund programs, the voluntary cleanups did not address the entire site and all the concerns. Therefore, EPA cannot archive the site from CERCLIS. EPA does acknowledge that cleanups occurred under the voluntary cleanup program. If those cleanups complied with the terms and conditions of the MOA, they would be covered by the MOA.

If you have any questions about this matter, please contact Lisa Lloyd at 303-312-6537 or Barry Levene at 303-312-6807.

Sincerely,



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**Dale Vodehnal, Director
Superfund Remedial Response Program**

cc: Barry Levene, EPR-SR
David Ostrander, EPR-SA
Pat Smith, EPR-SA
Lisa Lloyd, EPR-SR



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